

GOVERNMENT OF ANDHRA PRADESH
ABSRATCT

R&B – Sanction of balance decretal amount as per Conciliation Meeting ordered by the Hon'ble High Court of Andhra Pradesh in (i) CMA No.386 of 1993 and CRP No. of 1993 and Cross Objections No.48804 of 1993, dt.18-6-2007 (ii) CMA No.427 of 1993, dt.19-6-2007 (iii) CMA No.902 of 1995 and CRP No.2111 of 1995, dt.13-7-2007 in favour of Sri R.S.Ranga Das, Contractor, PWD – Administrative Sanction – Orders – Issued.

TRANSPORT ROADS & BUILDINGS (B.II) DEPARTMENT

G.O.Rt. No. 1225

Dt.17th October, 2012

Read the following:-

- 1) CMA No.386 of 1993 and CRP No. of 1993 and Cross Objections No.48804 of 1993, dt.18-6-2007.
- 2) CMA No.427 of 1993, dt.19-6-2007.
- 3) CMA No.902 of 1995 and CRP No.2111 of 1995, dt.13-7-2007.
- 4) The CE (R&B), Buildings, Lr.No.TA7/TA10 /AEE -5/MDL, 15802, AEE2/34787/CT/2007, Dt.29.11.2007.
- 5) G.O.Rt.No.1095, T R&B (B.II) Dept., Dt.17.07.2008.
- 6) The CE (R&B), Buildings, Lr.No.TA9/ ARBT/OBC/874/93, Dt.23.03.2011.
- 7) Record of Conciliation Meeting, meeting held on 20.06.2011 at 12.00 Noon in the Chambers of Principal Secretary, T R&B Dept.
- 8) From Sri R.S. Ranga Das, Contractor, PWD, letter dated 20-6-2011.

The Chief Engineer (R&B), Buildings in his letter 4th read above, has informed that the Hon'ble High Court of Andhra Pradesh, has issued Common Judgment in respect of the following (3) works:

- 1) CMA No.386 of 1993 and CRP No. of 1993 and Cross Objections No.48804 of 1993, dt.18-6-2007 - Construction of Out Patient Block at Osmania General Hospital, Hyderabad L.S. Agreement No.7/77-78, dt.28-5-1977 with SE (R&B), HQ Circle, Hyderabad.
- 2) CMA No.427 of 1993, dt.19-6-2007 - Construction of Building Complex for location of Commercial taxes Offices and Central Excise Office at Hyderabad, Phase-II, L.S. Agreement No.32/79-80 dt.2-2-1980 with S.E.(R&B) HQ Circle, Hyderabad – Civil Miscellaneous Appeal No.427 of 1993.
- 3) CMA No.902 of 1995 and CRP No.2111 of 1995, dt.13-7-2007 - Construction of Multi storied Office Building Complex to House the Government Departments in the Vacant land opposite to the Directorate of Fisheries at tank Bund, Hyderabad, L.S. Agreement No.44/84-85 dt.12-12-1984 with S.E.(R&B) HQ Circle, Hyderabad.

with common judgment as given below:

"It is now represented across the bar that regarding the long lapse of time and the Pendency of the proceedings all along, it would suffice in the interest of justice and also in the interest of both parties to make an effort of conciliation to the effect of settlement.

In this process, an attempt can be made by directing the respondents-claimants to approach the Principal Secretary of the Department concerned by filing appropriate comprehensive representation on behalf of the claimants. On filing which, the said authority shall hear both the sides after giving notice and opportunity and make an effort to conciliate and settle the claims. The respondents-claimants shall file the said representation within a period of three weeks from today and the Principal Secretary of the said authority shall conciliate the meetings and try to settle the matter within a period of three months thereafter.

(PTO)

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The parties are at liberty to approach this court either by way of filing final settlement, which would be arrived at between the parties or the failure report on the basis of which necessary orders will be passed in terms of settlement or disposed of the matter on merits, if it warrants

Subject to the above, all the above matters are disposed of. It is needless to mention that the interim order, which has been in vogue all along pending these proceedings, shall continue to remain in force till the final disposal of the proceedings in the conciliation”.

2. In the reference 5th read above, Govt. have constituted a High Level Committee to conciliate on the issues and to give the report relating to payment and recovery from Sri R.S. Ranga Das, Contractor.

3. In the reference 6th read above, the Chief Engineer(R&B), Buildings has informed that the High Level Committee constituted to the claims of the Contractors, met on 25.01.2011 and discussed the claims of the contractor Sri R.S.Ranga Das in respect of three works and recommended the amount payable to the Contractor as detailed below:-

1) Construction of Outpatient Block at Osmania General Hospital, Hyderabad:-

The members reviewed the issue relating to the payments made and claims preferred by the contractor Sri R.S.Ranga Das. The subject was discussed in length and issued instructions to work out the decretal amount, plus 8.75% on the decretal amount to be paid for the period from date of receipt of Part Decretal amount and upto 31.03.2011 i.e. from 09.07.1993 to 31.03.2011. Accordingly, the decretal amount and the interest @ 8.75% is worked out as `2,73,43,207.03.

2) Construction of Building Complex for location of Commercial Taxes Office and Central Excise Office at Hyderabad Phase-II:

The members reviewed the issue relating to the payments made and claims preferred by the contractor Sri R.S.Ranga Das. The subject was discussed in length and issued instructions to work out the decretal amount, plus 8.75% on the decretal amount to be paid for the period of receipt of Part Decretal amount till date of realization i.e. from 30.06.1993 to 31.03.2011. Accordingly, the decretal amount and the interest @ 8.75% is worked out as `1,56,64,994.59.

3) Construction of Multi Storied Office Building Complex to house Government Departments in the vacant land opposite to the Directorate of Fisheries at Tank Bund, Hyderabad.

The members reviewed the issue relating to the payments made and claims preferred by the contractor Sri R.S.Ranga Das. The subject was discussed in length and based on old records and keeping in view of the Hon'ble High Court orders, the balance amount payable to the contractor is worked out duly considering the rate of interest @ 18% on award amount mentioned in CE(R&B), Buildings office letter No.TA9/AEE2/Arbt/ OBC/874/93, dated 18.09.1995 for the period from 30.09.1988 to 24.02.1996 (i.e. date of interim payment). Further, the rate of interest @ 8.75% is considered for the period from 25.02.1996 to 31.03.2011. Therefore, the amount payable to the contractor is worked out as `5,78,52,499.46.

4. In the reference 7th read above, the conciliation meeting was held on 20-06-2011 at 12.00 Noon in the Chambers of Principal Secretary to Govt., T R&B Dept., A.P. Secretariat, Hyderabad in respect of the above three works and recorded.

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5. In the reference 8th read above, Sri R.S. Ranga Das, Contractor has given his consent in writing agreeing the amounts mentioned in conciliation meeting records for the three works.

6. Government after careful examination of the matter, hereby accord administrative sanction for an amount of (i) `2,73,43,207/- (Rupees Two Crores, Seventy Three Lakhs, Forty Three Thousand, Two Hundred and Seven Only) for Construction of Outpatient Block at Osmania General Hospital, Hyderabad (ii) `1,56,64,994/- (Rupees One Crore, Fifty Six Lakhs, Sixty Four Thousand, Nine Hundred and Ninety Four Only) for Construction of Building Complex for location of Commercial Taxes Office and Central Excise Office at Hyderabad Phase-II (iii) `5,78,52,499/- (Rupees Five Crores Seventy Eight Lakhs, Fifty Two Thousand, Four Hundred and Ninety Nine Only) for Construction of Multi Storied Office Building Complex to house of Government Departments in the vacant land opposite to the Directorate of Fisheries at Tank Bund, Hyderabad towards payment of balance decretal amount to Sri R.S.Ranga Das, Contractor as per Conciliation Meeting ordered by the Hon'ble High Court of Andhra Pradesh.

7. The amount of Rs.1008.61 Lakhs sanctioned in para (6) above shall be debited to "4059 – COL on Public Works 60 – Other Buildings MH 051 – Construction G.H. 11 – Normal State Plan SH (80) – Construction of buildings for other departments 530 – Major Works 531 – Other Expenditure and shall be met by way of reappropriation from available provision in B.E. 2012-13.

8. The Chief Engineer(R&B), Buildings, Hyderabad shall take further action to send reappropriation proposal immediately.

9. This order issues with the concurrence of the Finance Dept. vide their U.O.No.26600/1198/A2/Exp.PW/12, Dt.10.10.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMI PARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Engineer (R&B) Buildings, Hyderabad.

The Accountant General, A.P., Hyderabad.

The Director of Works & Accounts, A.P., Hyderabad.

The Pay & Accounts Officer, Hyderabad.

The Finance (Expr.PW) Dept.

The Finance (BG.I) Department.

Copy to:

The PS to Hon'ble Minister for Roads & Buildings.

The PS to Prl.Secy. (Roads & Buildings).

SF/SC

//Forwarded: By Order//

SECTION OFFICER